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CERTIFICATE OF MAILING

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Rhonda A. Etienne 6/1/04
Rhonda A. Etienne Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Achilefu et al.
Application No.: 10/814,404 (Divisional of U.S. Patent Application Serial No. 09/688,949 filed October 16, 2000, now U.S. Patent No. 6,716,413)
Filed: March 31, 2004
Art Unit: Unknown
Confirmation No.: 5388
Examiner: Unknown
Title: **TISSUE-SPECIFIC EXOGENOUS OPTICAL AGENTS**
Atty. Docket No.: MRD-54DV

Cincinnati, Ohio 45202

June 1, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. The pertinency of each of these disclosures is evident in the file wrapper of applicants' Achilefu et al. parent application Serial No. 09/688,949,

filed October 16, 2000, now U.S. Patent No. 6,716,413 upon which this divisional application is based. Accordingly, no further comment on the disclosures is believed necessary.

Copies of the cited references are in the parent case and thus copies are not submitted herewith, except for the International Search Report in the corresponding PCT Application No. PCT/US01/31720.

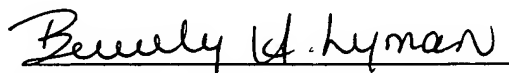
No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

A handwritten signature in cursive script, reading "Beverly A. Lyman".

Beverly A. Lyman, Ph.D.

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SUBSTITUTE FORM PTO-1449
(MODIFIED)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
MRD/54DV

SERIAL NO.
10/814,404

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANT
Samuel Achilefu, et al.

(37 CFR 1.98(b))

(Use several sheets if necessary)

FILING DATE
March 31, 2004

GROUP
Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	4	8	2	6	8	6	0	05/1989	Johnson et al.	514	367	01/1988
	A.B	5	7	8	0	2	1	8	07/1998	Mifune et al.	430	599	04/1996
	A.C	6	0	3	0	9	4	8	02/2000	Mann	514	12	12/1997
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FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

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	A.P						
	A.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	A.R	Christopher C. Baker, M.D., <u>Epidemiology of Trauma Deaths</u> , Amer. Jour. of Surg., Vol. 140, 1980, pp. 144-150.
	A.S	John Baldas et al., <u>Preparation, HPLC Studies and Biological Behaviour of 99m Tc- and 99mTcN-radiopharmaceuticals Based on Quinoline Type Ligands</u> , Nucl. Med. Biol., Vol. 19, No. 4, 1992, pp. 491-496.
	A.T	Frank B. Cerra, M.D., <u>Multiple Organ Failure Syndrome</u> , New Horizons: Multiple Organ Failure, Society of Critical Care Medicine, 1989, pp. 1-24.

EXAMINER

DATE CONSIDERED

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SUBSTITUTE DISCLOSURE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MRD/54DV		SERIAL NO. 10/814,404	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Samuel Achilefu, et al.			
(37 CFR 1.602) (Use several sheets if necessary)				FILING DATE March 31, 2004		GROUP Unknown	

U.S. PATENT DOCUMENTS							
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
B.R	Peter L. Choyke et al., <u>Hydrated clearance of gadolinium-DTPA as a measurement of glomerular filtration rate</u> , Kidney International, Vol. 41, 1992, pp. 1595-1598.
B.S	Cdr. P.D. Doolan, MC, USN et al., <u>A Clinical Appraisal of the Plasma Concentration and Endogenous Clearance of Creatinine</u> , Amer. Jour. of Med., Vol. 32, 1962, pp. 65-79.
B.T	Richard B. Dorshow et al., <u>Monitoring physiological function by detection of exogenous fluorescent contrast agents</u> , Optical Diagnostics of Biological Fluids IV, A. Priezzhev and T. Asakura, Eds., Proceedings of SPIE 1999, Vol. 3599, pp. 2-8.

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PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
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STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98(b))

APPLICANT
Samuel Achilefu, et al.FILING DATE
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	C.R	Richard B. Dorshow et al., <u>Noninvasive Fluorescence Detection of Hepatic and Renal Function</u> , Journal of Biomedical Optics, Vol. 3, No. 3, 1998, pp. 340-345.
	C.S	Durmaz et al., <u>Arzneimittel-Forschung</u> , vol. 48, No. 12, 1998, pp. 1179-1184
	C.T	James H. Flanagan, Jr. et al., <u>Near-Infrared Heavy-Atom-Modified Fluorescent Dyes for Base-Calling in DNA-Sequencing Applications Using Temporal Discrimination</u> , Anal. Chem., Vol. 70, No. 13, 1998, pp. 2676-2684.

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	D.R	P. Guesry et al., <u>Measurement of glomerular filtration rate by fluorescent excitation of non-radioactive meglumine iothalamate</u> , Clinical Nephrology, Vol. 3, No. 4, 1975, pp. 134-138.					
	D.S	L. Hansen et al., <u>Synthesis of the Sulphonate and Phosphonate Derivatives of Mercaptoacetyl triglycine, X-Ray Crystal Structure of Na₂(ReO(Mercaptoacetyl glycyglycyl-Aminomethanesulphonate))-3H₂O</u> , Metal-Based Drugs, Vol. 1, No. 1, 1993, 31-39.					
	D.T	John Bernard Henry, M.D., <u>Clinical Diagnosis and Management by Laboratory Methods</u> , W.B. Saunders Company, 17th Ed., 1984, pp. vii-1502.					
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)							
	E.R	Richard Lewis et al., <u>Comparative Evaluation of Urographic Contrast Media, Inulin, and 99mTc-DTPA Clearance Methods for Determination of Glomerular Filtration Rate in Clinical Transplantation</u> , Transplantation, Vol. 48, No. 5, 1989, pp. 790-796.					
	E.S	S. Lundqvist et al., <u>Iohexol Clearance for Renal Function Measurement in Gynaecologic Cancer Patients</u> , Acta Radiologica, Vol. 37, 1996, pp. 582-586.					
	E.T	G. Muller et al. (ed.), <u>Medical Optical Tomography, Functional Imaging and Monitoring</u> , SPIE Optical Engineering Press, The International Society of Optical Engineering, Bellingham, WA, 1993.					
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	F.R	Roland Muller-Suur et al., <u>Glomerular Filtration and Tubular Secretion of MAG-3 in the Rat Kidney</u> , The Journal of Nuclear Medicine, Vol. 30, 1989, pp. 1986-1991.					
	F.S	Dennis L. Nosco et al. , <u>Chemistry of technetium radiopharmaceuticals 1: Chemistry behind the development of technetium-99m compounds to determine kidney function</u> , Coordination Chemistry Reviews, Vol. 184, 1999, pp. 91-123.					
	F.T	PCT, <u>International Search Report</u> , Date Mailed 2/13/02 (3 pgs.)					
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	G.R	Carlos A. Rabito et al., <u>Renal Function in Patients at Risk of Contrast Material-induced Acute Renal Failure: Noninvasive, Real-Time Monitoring</u> , Radiology, Vol. 186, No. 3, 1993, pp. 851-854.					
	G.S	G. Regel, M.D. et al., <u>Treatment Results of Patients with Multiple Trauma: An Analysis of 3406 Cases Treated between 1972 and 1991 at a German Level 1 Trauma Center</u> , The Journal of Trauma, Vol. 38, No. 1, 1995, pp. 70-77.					
	G.T	G.A. Reynolds et al., <u>Stable Heptamethine Perylium Dyes That Absorb in the Infrared</u> , J. Org. Chem., Vol. 42, No. 5, 1977, pp. 885-888.					
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	H.R	Francoise Roch-Ramel et al., Renal excretion and tubular transport of organic anions and cations, Oxford University Press, N.Y., Handbook of Physiology, Sec. 8, Neurological Physiology, Vol. II, E.E. Windhager, Ed., 1992, pp. 2189-2262.					
	H.S	Morgan Sohtell et al., FITC-inulin as a kidney tubule marker in the rat, Acta Physiol. Scand., Vol. 119, 1983, pp. 313-316.					
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	I.R	Carl E. Speicher, M.D., <u>The Right Test, A Physician's Guide to Laboratory Medicine</u> , W.B. Saunders Company, Harcourt, Brace, Jovanovich, Inc., 1990, pp v - 174.					
	I.S	W. Newlon Tauxe, <u>Tubular Function</u> , Nuclear Medicine in Clinical Urology and Nephrology, Appleton-Century-Crofts, Prentice-Hall, Inc., 1985, pp. 77-105.					
	I.T	Nicholas L. Tilney, M.D., <u>Acute Renal Failure in Surgical Patients, Causes, Clinical Patterns, and Care</u> , Surgical Clinics of North America, Vol. 63, No. 2, 1983, pp. 357-377.					
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	J.R	Michael F. Tweedle, Ph.D. et al., <u>A Noninvasive Method for Monitoring Renal Status at Bedside</u> , Investigative Radiology, Vol. 32, No. 12, 1997, pp. 802-805.					
	J.S	Bruce E. VanZee, M.D. et al., <u>Renal Injury Associated with Intravenous Pyelography in Nondiabetic and Diabetic Patients</u> , Annals of Internal Medicine, Vol. 89, 1978, pp. 51-54.					
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